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C O N F I D E N T I A L BAGHDAD 001743

SIPDIS

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TAGS: [PGOV](#) [KDEM](#) [IZ](#)

SUBJECT: PROGRESS IN PARLIAMENT ON NATIONAL ELECTION LAW

Classified By: Acting POL/C John Fox for reasons 1.4 (b) and (d).

¶1. (C) Summary/Comment: There is growing support in Parliament for amending the 2005 election law as the basis for national elections scheduled for January 2010. A multi-party ad hoc committee met June 27 and 28 to work on the draft law, and MPs told us that they expect a law to be approved by the end of the current parliamentary session in late July. While Kurdish MPs favor a closed list, single district electoral system, other contacts told us that there is widespread support for multiple districts and that a consensus favors open lists. Several MPs, however, speculate that the Islamic Supreme Council of Iraq and the Sadrists privately favor a closed list election despite publicly expressing support for open lists. While the question of open versus closed lists is not yet settled (and there may be a contradiction between the public and private positions of some parties), we are encouraged that Parliament has focused attention on the election law. We are pressing contacts for quick action to allow sufficient time for preparations. End Summary/Comment.

¶2. (C) An ad hoc parliamentary committee to work on an election law met June 27-28. ISCI/Badr MP Iman al-Assidi told Poloff June 28 that the committee, which includes representatives from each parliamentary bloc and the Legal Committee, decided to proceed by amending the 2005 election law rather than by starting over from scratch. This account was confirmed by other committee contacts, and was reported June 28 in the Iraqi press. The ad hoc committee is meeting daily (except Friday), and is working toward a July 31 deadline. In terms of amendments, committee members have indicated that the following changes are under consideration:

- Voting eligibility to be set at age 18;
- Elections to take place on one day;
- Elections in one or more areas could be postponed for security reasons with a request by the Prime Minister and approval by the Presidency Council;
- Candidate qualifications (age, education, subject or not to de-ba'athification, criminal background).

¶3. (C) Da'wa bloc leader Ali al-Adeeb told Poloff and MNF-I officers June 27 that he expected Parliament to amend the 2005 law to permit multiple districts and an open list, and said he expects Parliament to approve a law by the end of the current session in July. Adeeb said that most blocs, with the exception of the Kurds, favor a multiple district, open list model, and said that this change would be more democratic and reduce fraud in ballot tabulation. Also on June 27, staff members of Deputy Speaker Khalid al-Attiya told poloffs that the committee has made progress on the election law and that he expected a first reading in the "coming days."

¶4. (C) Among Sunni MPs, there are new indications of broad support for an amended 2005 law and open lists. On June 25, Waleed Jibouri, chief of staff to Tawafuq MP Salim Jibouri, told us that Tawafuq supports an open list election with multiple districts. MP Hassan Deghan al-Janabi (National Dialogue Front - INDF) told Poloff that Da'wa, INDF/Hewar,

Iraqiyya, and small parties favor an open list. However, Janabi claimed that while the Sadrists and ISCI say they favor an open list, they actually prefer closed lists. Mohammed Tamimi, a member of the Election Law working group, also told Poloff June 25 that there is broad agreement that there should be multiple districts - only the Kurds want a single district. (Comment: The Kurds may favor a single national district so as to benefit from greater turnout in Qnational district so as to benefit from greater turnout in Kurdish dominated northern governorates. Under a multiple-district system, a governorate's electoral strength is based on its population, not turnout. In addition, the Kurds are accustomed to the single district model because that system is being used for the upcoming Kurdish parliamentary elections. End Comment.)

¶5. (C) In contrast to what we have heard in the past few days, (Shi'a) Solidarity leader Qassim Daoud told Poloffs June 21 that Parliament was unlikely to pass election legislation until after the large parties (ISCI, IIP, Da'wa) come to a consensus regarding their respective electoral alliances. Because alliance formation would be protracted and difficult, Daoud predicted that the Parliament would be unable to pass a new law and would, therefore, use the 2005 law. Daoud said that while many MPs claim to favor open lists, so that they will not be blamed for opposing open lists, they privately prefer closed lists.
HILL